

Mark Robinson

From: "Bart Howell" <bhowell@mediafast.info>
To: "Mark Robinson" <mfr@rsglaw.com>
Sent: Thursday, January 22, 2004 8:50 AM
Subject: School District

Hi Mark,

I heard a report on KUER (NPR) this morning about the state of Arkansas' year long struggle with consolidated school districts vs. rural smaller districts. Essentially the quandary has crippled the state legislature for a year and the Governor is more than frustrated because the judicial branch may end up taking over the course of education in the state. Arkansas has both larger consolidated and smaller districts.

In my opinion, the economic argument for larger districts in Arkansas being able to provide a higher level of education seemed the most reasonable. The small rural districts aren't able to meet the national and state educational standards because they can't afford nor administer them.

The argument for smaller districts appeared to be emotional, based on community togetherness rather than on the quality of education provided.

I don't know if transcripts are available or not, but I thought it was relevant to what Rep. Cox is promoting.

I have a digital recording of the story if you are interested.

Have a good day!

Bart Howell
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1/22/04

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May 13, 2004

VIA U.S. MAIL

Mark E. Rinehart
mark@rsf-law.com
Cell: (801) 898-3116

Geneel Scott, Project Specialist
UTAH COUNTY COMMISSION OFFICE
100 East Center, Suite 2300
Provo, UT 84606

Re: Division of the Alpine School District

Dear Ms. Scott:

This firm represents Fox Ridge Investments, LLC and Mountain Home Development Corporation, the owners of the Traverse Mountain Project. The Traverse Mountain Project is a residential and commercial master planned community located in Lehi, Utah. The Traverse Mountain Project covers approximately 2,600 acres. The project has been in development under its current ownership for the past four years. When complete, the Traverse Mountain Project will consist of approximately 3,500 residences and more than 4 million square feet of commercial development. We estimate that ten to fifteen thousand people will eventually live, work and shop in the project. The Traverse Mountain Project is the largest new growth residential development on the I-15 corridor in the Inter Mountain West.

The owners of the Traverse Mountain Project believe that property values within the project are enhanced by the project's location within the Alpine School District. The Alpine School District is well established and is widely known to provide high quality public education. The owners congratulate the Alpine School District and its administrators and staff for doing an excellent job and for establishing an excellent reputation.

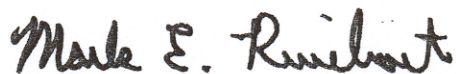
Unfortunately, my clients have recently heard of attempts to separate northern Utah County from the Alpine School District. They understand that a proposal is under consideration to form a new school district, named the Pioneer School District, to serve the residents of Lehi, American Fork and other communities in northern Utah County. They have received no written notice or information of any kind regarding this. They are stunned at the lack of communication on such an important and potentially divisive issue.

Geneel Scott, Project Specialist
UTAH COUNTY COMMISSION OFFICE
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My clients have asked me to let you know, on their behalf, that they strongly oppose creation of the Pioneer School District. Creation of a new school district would hurt property values within the Traverse Mountain Project. The resulting economic loss would be felt by the owners of the project. Property tax revenues of the cities whose children would be served by the new district would also be adversely affected. Creation of a new school district would require hiring a new administrative staff and paying for buildings and offices for that staff to use. Most of the costs of doing so would be wasted and could be avoided if no division of the district occurs. My clients have relied heavily on past representations that their project would remain in the Alpine School District. All of their advertising, marketing, and sales representations have relied on this.

Division of the Alpine School District is not in the best interests of the residents of northern Utah County, and it is very much not in the interests of the Traverse Mountain Project and the people who will live there. Division of the school district could have adverse economic and legal consequences. My clients urge you to do all within your power to prevent division of the Alpine School District. We will begin our research into the matter and my clients intend to pursue our legal remedies regarding this critical matter.

Very truly yours,



Mark E. Rinehart

cc: Steve Christensen, Traverse Mountain Project

Elizabeth A. Dixon
817 East 2200 North
Lehi, UT 84043
(801)766-0761
lizdixon@xmission.com

June 13, 2004

Geneel Scott
100 East Center Street
Provo, UT 84601

Dear Geneel:

Subject: Alpine School District Split Survey Response

Please pass these comments on to the DSC Committee. I tried to submit them through the online survey, but it failed when I put comments in the allotted space.

I attended the DSC meeting at the American Heritage School on the evening of June 10, 2004. I was impressed with the way the committee handled the deluge of opponents to the proposed split; however, I wish the opportunity to be heard by the Public Input Subcommittee were in person instead of through this impersonal online format. Why weren't we, the opponents of the District split, allowed an in-person forum to voice our opinions, as were the proponents and the AEA?

Throughout the entire meeting, I sat wondering why a public policy expert or a tax policy expert (not a CPA) is not on the committee. Many intangible negative externalities exist that, on the surface, seem to never have been discussed in this committee. These externalities might have been identified by someone who is an expert in public policy. You went looking to the Marriott School of Management (an excellent place to look), but did anyone consider asking one of the stellar faculty from the MPA program (Gary Cornia, Gloria Wheeler, just to name two) to assist with the analysis so as to look at the public policy impact of the numbers? Understandably, the financial impact will be significant; consider also the "non-financial" ramifications of this split.

Finally, I find it suspect that not **ONE WOMAN**, not one **MOTHER** was represented on the committee. Impressive as the gentlemen on the committee are, I find it troubling (although possibly par for the course in Utah) that although women comprise the majority of educators, and mothers are traditionally educators of their children, not ONE sits on this committee.

As a mother, I do not want the quality of my children's education to suffer because of a split from the Alpine School District caused by the selfish agenda of a few people. The proponents say that I can be a more involved parent because of the split. How dare they?

I am already an involved parent and can remain so within the constructs of my current school district.

I urge that the committee recommend that this initiative **NOT** be placed on the November ballot.

Sincerely,


Elizabeth A. Dixon

June 14, 2004

Geneel Scott

Attn: Alpine School District Ad Hoc Advisory Committee

100 E. Center

Provo, Utah 84606

Dear Ad Hoc Advisory Committee,

I attended the public meeting on June 10th. I want to express my thanks to you for the time that you have taken to study the issues in depth. I am confident in your abilities to make a good decision. I appreciate your time in considering some of my concerns regarding the proposed split of the Alpine School District.

First, I would like you to understand that the petition that was signed may be a misrepresentation of the public opinion. I signed the petition because I was interested in a feasibility study ONLY. Now that the results of the study are almost complete, I feel that the split of the Alpine School District would NOT be the best option for our children and our community. Everyone I know that signed the petition feels the same way. The petition may represent individuals who wanted a study, but NOT individuals who wanted a split of the district.

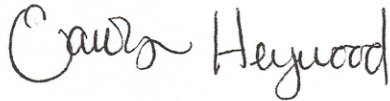
Second, I am very concerned that if the district splits the teachers will only be guaranteed their salary for one year. I feel that the higher quality teachers would want to remain with Alpine School District instead of risk their compensation with Pioneer School District. Because the teachers union unanimously opposed the split, I think they feel the same way I do. Quality teachers can make or break the educational experience for a child. Pioneer District may only be able to attract the "leftovers" from Alpine School District.

Third, the class sizes are currently very large and I believe that in the Pioneer district the class sizes would be even bigger for some time. Some of North Lehi attend Freedom Elementary (including two of my children), which is in Highland. If the district splits these students will then be put back into the already very over-crowded Lehi schools. All of the elementary schools in our area are on the extended day program because of over-crowding. This past year, before extended day was implemented, my son had 26 children in his kindergarten class. My daughter had 29 in her third grade class. My 7th grader had 40 or more in her classes at the Jr. High. I am very concerned that coupled with the growth and the time it would take for the Pioneer District to be organized and get the bonding to build the needed facilities that the class sizes in the Pioneer District would be enormous. If the class sizes are unacceptable (in my opinion they almost are currently) then many may look to other options. I have a neighbor who said that she would start a charter school. This may interest many and pull the per-student funding away from an already struggling Pioneer District. More importantly, the quality of education would obviously diminish in the Pioneer District because a teacher can not reach each child adequately when class sizes are so large.

Fourth, I am also concerned about the cost. Many may not be able to afford the initial property tax increase and the later increases with bonding for the needed facilities. (I have heard that Eagle Mountain has the highest bankruptcy in the state. Many stretched just to have a home and this increase may put them over the edge.) I believe the new district would struggle financially. I am worried that in the new district programs will be cut. I value highly the extra-curricular classes. I also value gifted programs and accelerated or AP classes. I think music, art, sports, band, orchestra, etc. are important to a well-rounded education. I feel that if these programs are cut that many of our children will not be able to get into college. I know that you, as a committee, do not have the jurisdiction over the quality of education offered in the proposed Pioneer District. However, I think you should know that I feel the quality of education will certainly decrease.

In conclusion, I am not convinced that there are significant positive reasons for splitting the district. In my opinion, the quality of teachers will decrease, the class sizes will be unbearable, and the quality of education will diminish. Please do not recommend the split of the Alpine School District. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Heywood". The signature is written in dark ink and is positioned above the printed name.

Carolyn Heywood

Geneel Scott - Ballot measure to have Lehi split from the Alpine school district

From: <FMMatis@aol.com>
To: <UCadm.geneel@State.ut.us>
Date: 6/15/2004 10:42 PM
Subject: Ballot measure to have Lehi split from the Alpine school district

Dear Sir,

I am vehemently opposed to two putting the initiative on the November ballot as to whether Lehi should separate itself from the Alpine school district to establish a new school district. I attended the meeting last week and I was impressed with the amount of effort that the committee has put into formulating their recommendations to the school board or the election committee as to whether the ballot measure should proceed.

However, having said that based on the conversation I heard at that meeting, I really wonder why the committee was even convened. It just makes no sense financially or realistically for the Lehi to even consider formulating a school district. Financially there isn't a substantial usiness tax base to support a school district. The only tax base is the homeowner. To support a new school district would require, as a stated in a meeting, a substantial property tax increase for every homeowner assistant. However, I don't even think the numbers that were discussed in a meeting were realistic. The growth potential in this area is well-documented and without a business tax base to help support a school district, the tax increase to the homeowner will be much more than what was estimated.

I was further concerned about the presence of David Cox on your committee. I was upset when I left, I was upset leather went to bed and I was upset leather woke up in the morning. Whoever heard of the committee to study a proposal by a person having out that committee very person making a proposal. Does not that seem to you a bit odd? I thought committee said were organized so study a subject with an open mind to the outcome. Well, David Cox certainly does not have open mind to this subject. His mind was made ongoing in, made up during a discussion and made at the end. He knows how he will vote from the outset. That means that 12.5 percent of the voters are a cast before the committee was it organized. And who knows how much influence he could sway during the discussion as a member of the committee.

Let's talk about the "petition" that David Cox sent in with signatures that initiated the need or the thought that such a committee should be formed. From my understanding, it was only a survey and not a petition that people signed. It is one thing to put your name on a petition for action rather than a signature as a feeling to an issue. I feel is very deceptive and David Cox's part to introduce the signatures as a petition when in fact they were not.

I've done some door-to-door walking into downtown part of Lehi talking to people about this issue and I give no feeling that people support the need for his new school district. My walking was to have out a flyer about the issue and so as I talk to people they just express their opinion, if they had one. when they did express their opinion, it was strongly against Lehi having its own school district. When they did not express an opinion, can every did get the feeling that had vote, they would be a favor of a school district. I never once had a feeling that this is something they would be in favor of. I started to take signatures as I proceeded because I felt was necessary to have their name on a petition. The signatures are included in the list of people's name you will or have received.

Again I voice my strong opinion that this initiative should not be put on the ballot. David Cox might respond with why not. Let the people decide. Will you know as well as I do that people sometimes vote for something they do not understand and consequently a travesty is attached. David Cox's tried for eight years to do this and I feel he has decided that the best way would be to let an uninformed electorate make that decision in hopes that some way it will slip through.

You are evaluating the data and hope an awfully not swayed by David Cox's rhetoric and vote no for this to become a ballot issue.

Thank you very much for listening to me

Fred Matis

Geneel Scott - The day's not officially over until Midnight, right? Sorry this is so late (better not too late, I hope)!

From: rlwest@arcopackaging.com
To: <utahcounty.ucadm.geneel@state.ut.us>
Date: 6/16/2004 11:35 PM
Subject: The day's not officially over until Midnight, right? Sorry this is so late (better not too late, I hope)!

Dear Committee:

I am writing just under the deadline, and I apologize. I know your time as a volunteer committee is precious, but I wanted to have enough time to ask a few more questions and research a few more things before presenting this letter to the committee.

I like many others who have “come out of the woodwork”, have been puzzled by this issue. One proponent claims that this is the best way to educate our children, spend our money, and have more say in the education of our children. This proponent has left many unanswered questions. The ambiguous legislation sponsored by Rep. Cox leaves a lot of questions unanswered. Granted, this is new ground being broken, but broken would describe the legislation at this point in time. My first argument against this split is that more time is needed, and should be required, to clear up trouble spots in the legislation before this issue is put to a serious public vote. The last thing we need are more lawsuits, wasted money and valuable time lost waiting for the courts to clean up the aftermath. This neither helps us, our children, the new district or the old one. Creating a new district will require tremendous start-up energy and resources, none of which can be squandered on refereeing a quarrel.

One of these likely arguments will be with our teachers. I believe they deserve to have their questions answered before a commitment is made. And, because of unclear legislation, no one is able to give a decisive answer to very basic issues that our teachers are now facing. How do they give up what they have invested into the Alpine School District (i.e. retirement benefits, tenureship, salary and benefits) and roll the dice in the new district, and hope for the best? I would rather we wait until we can offer something concrete for them to count on, rather than hope that it'll turn out all right in the end.

Another point that I am concerned about is the effect higher taxes will have on our current growth. I know from comments made in the ad hoc meetings that the issue of growth and projected numbers were evaluated, but what will happen to those thinking about coming here? Will large businesses avoid our area because they can move a few miles down the road and pay less tax? Eagle Mountain struggles already with bankruptcy and foreclosure. How will the increased tax burden affect those neighborhoods already struggling to survive? What will happen to our property values in the new district? I live approximately two miles from the border of Highland City. How will this affect the resale of my home and others around me? Again, all of these have to be answered with a best guess, but has anyone asked these questions?

Micron and Thanksgiving Point continue to plague the Ad Hoc meetings. Do we add the amount of tax they could pay to the equation? Tax exemption could be extended to either of them. From the outside looking in, I think Micron had better get an extension – there isn't a lot of activity over there! Would a loss of tax exemption cripple the company and cause further tax problems in the future anyway? I've asked Thanksgiving Point for donations and help with community projects in the past, and I've always received the same answer – we can't help you, we run in the red. If that's truly the case (and I haven't

had time to fully research this item) how is that going to help them or us? Our commercial tax base is non-existent. Kohler's, Arctic Circle, Smith's & Lehi Roller Mills are in no position to carry us in case of emergency. I truly doubt the viability of this district over the long run, when the entire burden is carried solely by property taxes collected from residences. Too many variables exist that cannot be predicted in a normal sense. The emotional and social impacts of a decision cannot be adequately spelled out on paper.

By the way, I don't agree that Freedom Elementary is a moot point. If we split, wouldn't it serve Alpine District to take care of its own first? Why would they spend money on an ungrateful child who has run away from home? If I were in charge, I'd tell Pioneer School District to worry about your own problems, and use the opportunity to spread out enrollment between my existing elementary schools. What parent in Highland and Alpine wouldn't cheer to have their kids go back to a traditional time schedule because enrollment went down! Would Alpine be required by law to take our children under their wing? I think they'll tell us to get lost, and worry about keeping their tax-paying citizens happy first.

The tax increase, for me at least, is not as big an issue as some of the other nagging questions that continue to surface. Here's what my scenario looks like: we decided to split, and after the decision is made and several lawsuits are filed, the issue again goes into a never-ending round of debate and speculation, hopefully someday to be resolved by the State Supreme Court, because little nuances can be argued about forever. Meanwhile, our best teachers decide not to risk their retirement (because some of the best have been doing this for a while), and decide to move, leave or teach somewhere else altogether. Now we have a teacher shortage, and we are left to hire those who may not be so worried about tenure and salary after the first year – brand new teachers – that now have fewer and fewer good mentors. Meanwhile, I've decided that because my last child isn't going to be taught by my favorite kindergarten teacher, I'm out of here. I check into having my child attend Freedom, but Alpine School District is taking care of its own first, and tells me to think again. So, my child is allowed by law to go to another school, in any district, but space has *again* become an issue. I want to sell my house, but no one wants to buy in my area, where the new school district has problems, property values are lower and taxes higher, the best teachers have long since left the schools, when they can move two miles to the East and avoid a lot of problems, and as a bonus, pay lower taxes than I do!

This scenario is filled with my own projections for the future, but many have not been answered by the data collected by BYU or the Committee (at least to my knowledge). It does, however, summarize the uncertainty I feel about this issue. If the Ad Hoc Committee has spent the last six months studying this issue, and cannot answer these questions – who can? I'm not one for buying something expensive now, just because I want it, and then just "hope" that somehow things will all work out in the end. A neighbor of mine called today, and she was worried about the three special programs that Alpine currently pays for that her daughter, Hannah. She is autistic and needs these programs! Her *mother* needs these programs! Is the money for special programs going to stay the same? Will she get to sacrifice to make the budget work? Who gets to make up the difference if we can't support ourselves?

I also would like to know why no one has compared Murray and Granite School Districts. They are part of our unique culture, and probably the closest we can possibly get to our own situation (of course, they have a wider tax base too)! Has anyone looked into this? I know that I will be checking on this in the very near future! How about Tooele? Don't they also have a unique situation as well? I think it would be wise to compare something close to home; it might help answer a few of the questions floating around out there!

Finally, I have read the flyers circulating around the community. I am happy to be a part of something that is at least making people aware of this issue. Whether you want this split to happen or not, having

information is not a bad thing. People are more likely to stay on your side when they make up their own mind. A perfect example of this is the original petition that started it all. It was asking if we would like to know the feasibility of a split, not demanding that it take place. This is not a "cry of the people" in any shape or form. You asked the question, and now we want the answers!

April West
1718 North Summer Crest Drive
Lehi, Utah 84043

From: <djackson995@netzero.net>
To: <ucadm.geneel@state.ut.us>
Date: 6/16/2004 10:56:28 AM
Subject: Proposed Pioneer School District

To Whom It May Concern:

As citizens in the Lehi community, we wish to express our concern regarding the proposed separation from the Alpine School District.

Our concerns include:

- 1) The financial viability of the separation
- 2) The quality of education for our children
- 3) The long-term impact on Lehi

First: We are extremely concerned about the ability of Lehi, Saratoga Springs, Eagle Mountain, and Cedar Fort to sustain the funding required to run a school district. Although we recognize these are growing communities, the reality is that we would separate from the well-established financial engine of the Alpine School District. This separation would inevitably put the entire funding burden on the residents of these communities in the form of increased property taxes.

Second: If we believed that by increasing property taxes the proposed amount our students would experience increased educational opportunities, then the proposal would have some merit. However, we believe this separation would deteriorate the existing quality of education available to students in our community.

Third: With increased costs and a decreased educational value, our community would become a much less desirable place to live. Not only would people reconsider moving to Lehi, but existing residents would be compelled to leave - including us. This decision would impact our desire to remain in this area.

For these reasons we are adamantly opposed to the proposed Pioneer School District. Please take our comments into consideration.

Thank you,
Dave & Robin Jackson
3110 N. 700 E.
Lehi, UT

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From: "Shawn Holmstead" <SHOLMSTE@novell.com>
To: <utahcounty.ucadm.geneel@state.ut.us>
Date: 6/16/2004 10:54:25 AM
Subject: Proposed split of Lehi and Saratoga Springs from Alpine School District

To whom it may concern,

I have heard that Lehi and Saratoga Springs are considering splitting off from the Alpine School District, and that I could send my comments to this e-mail address.

I am strongly opposed to splitting Lehi and Saratoga Springs off from the Alpine School District. I agree that the Alpine School District is too big, but having Lehi and Saratoga Springs simply split off does not have any benefits and incurs tremendous cost for the residents of Lehi and Saratoga Springs. Having to come up with pensions for all teachers by 2008, build new district buildings, and pay teachers with no help from the existing Alpine School District is ridiculous. Property taxes will have to at least double with no benefit from the split in terms of class size, teacher salaries, or anything that would better the educational experience of the children. All that would happen is for residents to pay more taxes. This solution is unacceptable.

In order for a proper split of the Alpine School District, more cities would have to be involved with an equity in dividing up the resources of the existing Alpine School District so that all residents of the existing Alpine School District are evenly benefited and taxed. The benefit of splitting up the Alpine School District should be smaller class size, increased teacher salaries, and the ability to build schools in all neighborhoods requiring them in a timely manner.

I would strongly discourage any more effort in this proposed split of Lehi and Saratoga Springs from the Alpine School District.

Sincerely,
Shawn Holmstead